



Manager's Substitute Amendment

AMENDMENT NO. _____

Calendar No. _____

Purpose: In the nature of a substitute.

IN THE SENATE OF THE UNITED STATES—118th Cong., 1st Sess.

S. 1325

To establish a partnership with nations in the Western Hemisphere to promote economic competitiveness, democratic governance, and security, and for other purposes.

Referred to the Committee on _____ and ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT IN THE NATURE OF A SUBSTITUTE intended to be proposed by Mr. RISCH

Viz:

1 Strike all after the enacting clause and insert the following:
2

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Western Hemisphere
5 Partnership Act of 2023”.

6 **SEC. 2. UNITED STATES POLICY IN THE WESTERN HEMISPHERE.**
7

8 It is the policy of the United States to promote economic competitiveness, democratic governance, and security in the Western Hemisphere by—
9
10

1 (1) encouraging stronger economic relations, re-
2 spect for property rights, the rule of law, and en-
3 forceable investment rules and labor and environ-
4 mental standards;

5 (2) advancing the principles and practices ex-
6 pressed in the Charter of the Organization of Amer-
7 ican States, the American Declaration on the Rights
8 and Duties of Man, and the Inter-American Demo-
9 cratic Charter; and

10 (3) enhancing the capacity and technical capa-
11 bilities of democratic partner nation government in-
12 stitutions, including civilian law enforcement, the ju-
13 diciary, attorneys general, and security forces.

14 **SEC. 3. PROMOTING SECURITY AND THE RULE OF LAW IN**
15 **THE WESTERN HEMISPHERE.**

16 (a) SENSE OF CONGRESS.—It is the sense of Con-
17 gress that the United States should strengthen security
18 cooperation with democratic partner nations in the West-
19 ern Hemisphere to promote a secure hemisphere and to
20 address the negative impacts of transnational criminal or-
21 ganizations and malign external state actors.

22 (b) COLLABORATIVE EFFORTS.—The Secretary of
23 State, in coordination with the heads of other relevant
24 Federal agencies, should support the improvement of secu-
25 rity conditions and the rule of law in the Western Hemi-

1 sphere through collaborative efforts with democratic part-
2 ners that—

3 (1) enhance the institutional capacity and tech-
4 nical capabilities of defense and security institutions
5 in democratic partner nations to conduct national or
6 regional security missions, including through regular
7 bilateral and multilateral engagements, foreign mili-
8 tary sales and financing, international military edu-
9 cation and training programs, expanding the Na-
10 tional Guard State Partnership Programs, and other
11 means;

12 (2) provide technical assistance and material
13 support (including, as appropriate, radars, vessels,
14 and communications equipment) to relevant security
15 forces to disrupt, degrade, and dismantle organiza-
16 tions involved in the illicit trafficking of narcotics
17 and precursor chemicals, transnational criminal ac-
18 tivities, illicit mining, and illegal, unreported, and
19 unregulated fishing, and other illicit activities;

20 (3) enhance the institutional capacity, legit-
21 imacy, and technical capabilities of relevant civilian
22 law enforcement, attorneys general, and judicial in-
23 stitutions to—

24 (A) strengthen the rule of law and trans-
25 parent governance;

1 (B) combat corruption and kleptocracy in
2 the region; and

3 (C) improve regional cooperation to dis-
4 rupt, degrade, and dismantle transnational or-
5 ganized criminal networks and terrorist organi-
6 zations, including through training,
7 anticorruption initiatives, anti-money laun-
8 dering programs, and strengthening cyber capa-
9 bilities and resources;

10 (4) enhance port management and maritime se-
11 curity partnerships and airport management and
12 aviation security partnerships to disrupt, degrade,
13 and dismantle transnational criminal networks and
14 facilitate the legitimate flow of people, goods, and
15 services;

16 (5) strengthen cooperation to improve border
17 security across the Western Hemisphere, dismantle
18 human smuggling and trafficking networks, and in-
19 crease cooperation to demonstrably strengthen mi-
20 gration management systems;

21 (6) counter the malign influence of state and
22 non-state actors and disinformation campaigns;

23 (7) disrupt illicit domestic and transnational fi-
24 nancial networks;

1 (8) foster mechanisms for cooperation on emer-
2 gency preparedness and rapid recovery from natural
3 disasters, including by—

4 (A) supporting regional preparedness, re-
5 covery, and emergency management centers to
6 facilitate rapid response to survey and help
7 maintain planning on regional disaster antici-
8 pated needs and possible resources;

9 (B) training disaster recovery officials on
10 latest techniques and lessons learned from
11 United States experiences;

12 (C) making available, preparing, and
13 transferring on-hand nonlethal supplies, and
14 providing training on the use of such supplies,
15 for humanitarian or health purposes to respond
16 to unforeseen emergencies; and

17 (D) conducting medical support operations
18 and medical humanitarian missions, such as
19 hospital ship deployments and base-operating
20 services, to the extent required by the oper-
21 ation;

22 (9) foster regional mechanisms for early warn-
23 ing and response to pandemics in the Western
24 Hemisphere, including through—

1 (A) improved cooperation with and re-
2 search by the United States Centers for Disease
3 Control and Prevention through regional pan-
4 demic response centers;

5 (B) personnel exchanges for technology
6 transfer and skills development; and

7 (C) surveying and mapping of health net-
8 works to build local health capacity;

9 (10) promote the meaningful participation of
10 women across all political processes, including con-
11 flict prevention and conflict resolution and post-con-
12 flict relief and recovery efforts; and

13 (11) hold accountable actors that violate polit-
14 ical and civil rights.

15 (c) LIMITATIONS ON USE OF TECHNOLOGIES.—
16 Operational technologies transferred pursuant to sub-
17 section (b) to partner governments for intelligence, de-
18 fense, or law enforcement purposes shall be used solely
19 for the purposes for which the technology was intended.
20 The United States shall take all necessary steps to ensure
21 that the use of such operational technologies is consistent
22 with United States law, including protections of freedom
23 of expression, freedom of movement, and freedom of asso-
24 ciation.

25 (d) STRATEGY.—

1 (1) IN GENERAL.—Not later than 180 days
2 after the date of the enactment of this Act, the Sec-
3 retary of State, in coordination with the heads of
4 other relevant Federal agencies, shall submit to the
5 Committee on Foreign Relations of the Senate and
6 the Committee on Foreign Affairs of the House of
7 Representatives a 5-year strategy to promote secu-
8 rity and the rule of law in the Western Hemisphere
9 in accordance to this Section.

10 (2) ELEMENTS.—The strategy required under
11 paragraph (1) shall include the following elements:

12 (A) A detailed assessment of the resources
13 required to carry out such collaborative efforts.

14 (B) Annual benchmarks to track progress
15 and obstacles in undertaking such collaborative
16 efforts.

17 (C) A public diplomacy component to en-
18 gage the people of the Western Hemisphere
19 with the purpose of demonstrating that the se-
20 curity of their countries is enhanced to a great-
21 er extent through alignment with the United
22 States and democratic values rather than with
23 authoritarian countries such as the People’s Re-
24 public of China, the Russian Federation, and
25 the Islamic Republic of Iran.

1 (3) BRIEFING.—Not later than 1 year after
2 submission of the strategy required under paragraph
3 (1), and annually thereafter, the Secretary of State
4 shall provide to the Committee on Foreign Relations
5 of the Senate and the Committee on Foreign Affairs
6 of the House of Representatives a briefing on the
7 implementation of the strategy.

8 **SEC. 4. PROMOTING DIGITALIZATION AND CYBERSECURITY**
9 **IN THE WESTERN HEMISPHERE.**

10 (a) SENSE OF CONGRESS.—It is the sense of Con-
11 gress that the United States should support digitalization
12 and expand cybersecurity cooperation in the Western
13 Hemisphere to promote regional economic prosperity and
14 security.

15 (b) PROMOTION OF DIGITALIZATION AND CYBERSE-
16 CURITY.—The Secretary of State, in coordination with the
17 heads of other relevant Federal agencies, should promote
18 digitalization and cybersecurity in the Western Hemi-
19 sphere through collaborative efforts with democratic part-
20 ners that—

21 (1) promote digital connectivity and facilitate e-
22 commerce by expanding access to information and
23 communications technology (ICT) supply chains that
24 adhere to high-quality security and reliability stand-
25 ards, including—

1 (A) to open market access on a national
2 treatment, nondiscriminatory basis; and

3 (B) to strengthen the cybersecurity and
4 cyber resilience of partner countries;

5 (2) advance the provision of digital government
6 services (e-government) that, to the greatest extent
7 possible, promote transparency, lower business costs,
8 and expand citizens' access to public services and
9 public information; and

10 (3) develop robust cybersecurity partnerships
11 to—

12 (A) promote the inclusion of components
13 and architectures in information and commu-
14 nications technology (ICT) supply chains from
15 participants in initiatives that adhere to high-
16 quality security and reliability standards;

17 (B) share best practices to mitigate cyber
18 threats to critical infrastructure from ICT ar-
19 chitectures by technology providers that supply
20 equipment and services covered under section 2
21 of the Secure and Trusted Communications
22 Networks Act of 2019 (47 U.S.C. 1601);

23 (C) effectively respond to cybersecurity
24 threats, including state-sponsored threats; and

1 (D) to strengthen resilience against
2 cyberattacks and cybercrime.

3 **SEC. 5. PROMOTING ECONOMIC AND COMMERCIAL PART-**
4 **NERSHIPS IN THE WESTERN HEMISPHERE.**

5 (a) SENSE OF CONGRESS.—It is the sense of Con-
6 gress that the United States should enhance economic and
7 commercial ties with democratic partners to promote pros-
8 perity in the Western Hemisphere by modernizing and
9 strengthening trade capacity-building and trade facilita-
10 tion initiatives, encouraging market-based economic re-
11 forms that enable inclusive economic growth, strength-
12 ening labor and environmental standards, addressing eco-
13 nomic disparities of women, and encouraging transparency
14 and adherence to the rule of law in investment dealings.

15 (b) IN GENERAL.—The Secretary of State, in coordi-
16 nation with the United States Trade Representative, the
17 Chief Executive Officer of the Development Finance Cor-
18 poration, and the heads of other relevant Federal agencies,
19 should support the improvement of economic conditions in
20 the Western Hemisphere through collaborative efforts with
21 democratic partners that—

22 (1) facilitate a more open, transparent, and
23 competitive environment for United States busi-
24 nesses and promote robust and comprehensive trade
25 capacity-building and trade facilitation by—

1 (A) reducing trade and nontariff barriers
2 between the countries in the region, establishing
3 a mechanism for pursuing Mutual Recognition
4 Agreements and Formalized Regulatory Co-
5 operation Agreements in priority sectors of the
6 economy;

7 (B) establishing a forum for discussing
8 and evaluating technical and other assistance
9 needs to help establish streamlined “single win-
10 dow” processes to facilitate movement of goods
11 and common customs arrangements and proce-
12 dures to lower costs of goods in transit and
13 speed to destination;

14 (C) building relationships and exchanges
15 between relevant regulatory bodies in the
16 United States and democratic partners in the
17 Western Hemisphere to promote best practices
18 and transparency in rulemaking, implementa-
19 tion, and enforcement, and provide training and
20 assistance to help improve supply chain man-
21 agement in the Western Hemisphere;

22 (D) establishing regional fora for identi-
23 fying, raising, and addressing supply chain
24 management issues, including infrastructure

1 needs and strengthening of investment rules
2 and regulatory frameworks;

3 (E) establishing a dedicated program of
4 trade missions and reverse trade missions to in-
5 crease commercial contacts and ties between the
6 United States and Western Hemisphere partner
7 countries; and

8 (F) strengthening labor and environmental
9 standards in the region;

10 (2) establish frameworks or mechanisms to re-
11 view and address the long-term financial sustain-
12 ability and national security implications of foreign
13 investments in strategic sectors or services;

14 (3) establish competitive and transparent infra-
15 structure project selection and procurement proc-
16 esses that promote transparency, open competition,
17 financial sustainability, and robust adherence to
18 global standards and norms; and

19 (4) advance robust and comprehensive energy
20 production and integration, including through a
21 more open, transparent, and competitive environ-
22 ment for United States companies competing in the
23 Western Hemisphere, including by—

24 (A) facilitating further development of in-
25 tegrated regional energy markets;

1 (B) improving management of grids, in-
2 cluding technical capability to ensure the
3 functionality, safe and responsible management,
4 and quality of service of electricity providers,
5 carriers, and management and distribution sys-
6 tems;

7 (C) facilitating private sector-led develop-
8 ment of reliable and affordable power genera-
9 tion capacity;

10 (D) establishing a process for surveying
11 grid capacity and management focused on iden-
12 tifying electricity service efficiencies and estab-
13 lishing cooperative mechanisms for providing
14 technical assistance for—

15 (i) grid management, power pricing,
16 and tariff issues;

17 (ii) establishing and maintaining ap-
18 propriate regulatory best practices; and

19 (iii) proposals to establish regional
20 power grids for the purpose of promoting
21 the sale of excess supply to consumers
22 across borders;

23 (E) assessing the viability and effectiveness
24 of decentralizing power production and trans-
25 mission and building micro-grid power networks

1 to improve, when feasible, access to electricity,
2 particularly in rural and underserved commu-
3 nities where centralized power grid connections
4 may not be feasible in the short to medium
5 term; and

6 (F) exploring opportunities to partner with
7 the private sector and multilateral institutions,
8 such as the World Bank and the Inter-Amer-
9 ican Development Bank, to promote universal
10 access to reliable and affordable electricity in
11 the Western Hemisphere.

12 **SEC. 6. PROMOTING TRANSPARENCY AND DEMOCRATIC**
13 **GOVERNANCE IN THE WESTERN HEMI-**
14 **SPHERE.**

15 (a) SENSE OF CONGRESS.—It is the sense of Con-
16 gress that the United States should support efforts to
17 strengthen the capacity and legitimacy of democratic insti-
18 tutions and inclusive processes in the Western Hemisphere
19 to promote a more transparent, democratic, and pros-
20 perous region.

21 (b) IN GENERAL.—The Secretary of State, in coordi-
22 nation with the Administrator of the United States Agen-
23 cy for International Development and heads of other rel-
24 evant Federal agencies, should support transparent, ac-
25 countable, and democratic governance in the Western

1 Hemisphere through collaborative efforts with democratic
2 partners that—

3 (1) strengthen the capacity of national electoral
4 institutions to ensure free, fair, and transparent
5 electoral processes, including through pre-election
6 assessment missions, technical assistance, and inde-
7 pendent local and international election monitoring
8 and observation missions;

9 (2) enhance the capabilities of democratically
10 elected national legislatures, parliamentary bodies,
11 and autonomous regulatory institutions to conduct
12 oversight;

13 (3) strengthen the capacity of subnational gov-
14 ernment institutions to govern in a transparent, ac-
15 countable, and democratic manner, including
16 through training and technical assistance;

17 (4) combat corruption at local and national lev-
18 els, including through trainings, cooperation agree-
19 ments, initiatives aimed at dismantling corrupt net-
20 works, and political support for bilateral or multilat-
21 eral anticorruption mechanisms that strengthen at-
22 torneys general and prosecutors' offices;

23 (5) strengthen the capacity of civil society to
24 conduct oversight of government institutions, build
25 the capacity of independent professional journalism,

1 facilitate substantive dialogue with government and
2 the private sector to generate issue-based policies,
3 and mobilize local resources to carry out such activi-
4 ties;

5 (6) promote the meaningful and significant par-
6 ticipation of women in democratic processes, includ-
7 ing in national and subnational government and civil
8 society; and

9 (7) support the creation of procedures for the
10 Organization of American States (OAS) to create an
11 annual forum for democratically elected national leg-
12 islatures from OAS member States to discuss issues
13 of hemispheric importance, as expressed in section 4
14 of the Organization of American States Legislative
15 Engagement Act of 2020 (Public Law 116–343).

16 **SEC. 7. INVESTMENT, TRADE, AND DEVELOPMENT IN AFRI-**
17 **CA AND LATIN AMERICA AND THE CARIB-**
18 **BEAN.**

19 (a) STRATEGY REQUIRED.—

20 (1) IN GENERAL.—The President shall establish
21 a comprehensive United States strategy for public
22 and private investment, trade, and development in
23 Africa and Latin America and the Caribbean.

24 (2) FOCUS OF STRATEGY.—The strategy re-
25 quired by paragraph (1) shall focus on increasing ex-

1 ports of United States goods and services to Africa
2 and Latin America and the Caribbean by 200 per-
3 cent in real dollar value by the date that is 10 years
4 after the date of the enactment of this Act.

5 (3) CONSULTATIONS.—In developing the strat-
6 egy required by paragraph (1), the President shall
7 consult with—

8 (A) Congress;

9 (B) each agency that is a member of the
10 Trade Promotion Coordinating Committee;

11 (C) the relevant multilateral development
12 banks, in coordination with the Secretary of the
13 Treasury and the respective United States Ex-
14 ecutive Directors of such banks;

15 (D) each agency that participates in the
16 Trade Policy Staff Committee established;

17 (E) the President's Export Council;

18 (F) each of the development agencies;

19 (G) any other Federal agencies with re-
20 sponsibility for export promotion or financing
21 and development; and

22 (H) the private sector, including busi-
23 nesses, nongovernmental organizations, and Af-
24 rican and Latin American and Caribbean dias-
25 pora groups.

1 (4) SUBMISSION TO CONGRESS.—

2 (A) STRATEGY.—Not later than 180 days
3 after the date of the enactment of this Act, the
4 President shall submit to Congress the strategy
5 required by subsection (a).

6 (B) PROGRESS REPORT.—Not later than 3
7 years after the date of the enactment of this
8 Act, the President shall submit to Congress a
9 report on the implementation of the strategy re-
10 quired by paragraph (1).

11 (b) SPECIAL AFRICA AND LATIN AMERICA AND THE
12 CARIBBEAN EXPORT STRATEGY COORDINATORS.—The
13 President shall designate an individual to serve as Special
14 Africa Export Strategy Coordinator and an individual to
15 serve as Special Latin America and the Caribbean Export
16 Strategy Coordinator—

17 (1) to oversee the development and implementa-
18 tion of the strategy required by subsection (a); and

19 (2) to coordinate developing and implementing
20 the strategy with—

21 (A) the Trade Promotion Coordinating
22 Committee;

23 (B) the Assistant United States Trade
24 Representative for African Affairs or the Assist-

1 ant United States Trade Representative for the
2 Western Hemisphere, as appropriate;

3 (C) the Assistant Secretary of State for
4 African Affairs or the Assistant Secretary of
5 State for Western Hemisphere Affairs, as ap-
6 propriate;

7 (D) the Export-Import Bank of the United
8 States;

9 (E) the United States International Devel-
10 opment Finance Corporation; and

11 (F) the development agencies.

12 (c) TRADE MISSIONS TO AFRICA AND LATIN AMER-
13 ICA AND THE CARIBBEAN.—It is the sense of Congress
14 that, not later than one year after the date of the enact-
15 ment of this Act, the Secretary of Commerce and other
16 high-level officials of the United States Government with
17 responsibility for export promotion, financing, and devel-
18 opment should conduct joint trade missions to Africa and
19 to Latin America and the Caribbean.

20 (d) TRAINING.—The President shall develop a plan—

21 (1) to standardize the training received by
22 United States and Foreign Commercial Service offi-
23 cers, economic officers of the Department of State,
24 and economic officers of the United States Agency
25 for International Development with respect to the

1 programs and procedures of the Export-Import
2 Bank of the United States, the United States Inter-
3 national Development Finance Corporation, the
4 Small Business Administration, and the United
5 States Trade and Development Agency; and

6 (2) to ensure that, not later than one year after
7 the date of the enactment of this Act—

8 (A) all United States and Foreign Com-
9 mercial Service officers that are stationed over-
10 seas receive the training described in paragraph
11 (1); and

12 (B) in the case of a country to which no
13 United States and Foreign Commercial Service
14 officer is assigned, any economic officer of the
15 Department of State stationed in that country
16 receives that training.

17 (e) DEFINITIONS.—In this section:

18 (1) DEVELOPMENT AGENCIES.—The term “de-
19 velopment agencies” means the United States De-
20 partment of State, the United States Agency for
21 International Development, the Millennium Chal-
22 lenge Corporation, the United States International
23 Development Finance Corporation, the United
24 States Trade and Development Agency, the United

1 States Department of Agriculture, and relevant mul-
2 tilateral development banks.

3 (2) MULTILATERAL DEVELOPMENT BANKS.—

4 The term “multilateral development banks” has the
5 meaning given that term in section 1701(c)(4) of the
6 International Financial Institutions Act (22 U.S.C.
7 262r(c)(4)) and includes the African Development
8 Foundation.

9 (3) TRADE POLICY STAFF COMMITTEE.—The

10 term “Trade Policy Staff Committee” means the
11 Trade Policy Staff Committee established pursuant
12 to section 2002.2 of title 15, Code of Federal Regu-
13 lations.

14 (4) TRADE PROMOTION COORDINATING COM-

15 MITTEE.—The term “Trade Promotion Coordinating
16 Committee” means the Trade Promotion Coordi-
17 nating Committee established under section 2312 of
18 the Export Enhancement Act of 1988 (15 U.S.C.
19 4727).

20 (5) UNITED STATES AND FOREIGN COMMER-

21 CIAL SERVICE.—The term “United States and For-
22 eign Commercial Service” means the United States
23 and Foreign Commercial Service established by sec-
24 tion 2301 of the Export Enhancement Act of 1988
25 (15 U.S.C. 4721).

1 **SEC. 8. SENSE OF CONGRESS ON PRIORITIZING NOMINA-**
2 **TION AND CONFIRMATION OF QUALIFIED AM-**
3 **BASSADORS.**

4 It is the sense of Congress that it is critically impor-
5 tant that both the President and the Senate play their
6 respective roles to nominate and confirm qualified ambas-
7 sadors as quickly as possible, especially for countries in
8 the Western Hemisphere.

9 **SEC. 9. WESTERN HEMISPHERE DEFINED.**

10 In this Act, the term “Western Hemisphere” does not
11 include Cuba, Nicaragua, or Venezuela.

12 **SEC. 10. REPORT ON EFFORTS TO CAPTURE AND DETAIN**
13 **UNITED STATES CITIZENS AS HOSTAGES.**

14 (a) IN GENERAL.—Not later than 30 days after the
15 date of the enactment of this Act, the Secretary of State
16 shall submit to the Committee on Foreign Relations of the
17 Senate and the Committee on Foreign Affairs of the
18 House of Representatives a report on efforts by the
19 Maduro regime of Venezuela to detain United States citi-
20 zens and lawful permanent residents.

21 (b) ELEMENTS.—The report required by subsection
22 (a) shall include, regarding the arrest, capture, detain-
23 ment, and imprisonment of United States citizens and
24 lawful permanent residents—

1 (1) the names, positions, and institutional affili-
2 ation of Venezuelan individuals, or those acting on
3 their behalf, who have engaged in such activities;

4 (2) a description of any role played by
5 transnational criminal organizations, and an identi-
6 fication of such organizations; and

7 (3) where relevant, an assessment of whether
8 and how United States citizens and lawful perma-
9 nent residents have been lured to Venezuela.

10 (c) FORM.—The report required under subsection (a)
11 shall be submitted in unclassified form, but shall include
12 a classified annex, which shall include a list of the total
13 number of United States citizens and lawful permanent
14 residents detained or imprisoned in Venezuela as of the
15 date on which the report is submitted.